

Federal Communications Commission

§ 90.145

(3) Requested frequency is not allocated for assignment for the service proposed.

(c) Applications which are not in accordance with the provisions of this chapter, or other requirements of the Commission, will be considered defective and may be dismissed unless accompanied by a request in accordance with § 90.151 of this part.

[43 FR 54791, Nov. 22, 1978, as amended at 51 FR 14997, Apr. 22, 1986]

§ 90.141 Resubmitted applications.

Any application received by the Commission for frequencies below 470 MHz which has been returned by the Commission to the applicant for correction will be processed in its original position in the processing line if it is resubmitted and received by the Commission within 60 days from the date on which it was returned to the applicant. Otherwise it will be treated as a new application for the purpose of processing considerations. An application received by the Commission for frequencies above 470 MHz which has been returned by the Commission to the applicant will be processed in its original position in the processing line if it is resubmitted and received by the Commission within 30 days (45 days outside the continental United States) from the date on which it was returned to the applicant. Otherwise it will be treated as a new application for the purpose of processing considerations.

[51 FR 14997, Apr. 22, 1986]

§ 90.143 Grants of applications.

(a) The Commission will grant an application for a station authorization without a hearing if it is in proper form, and conforms with all rule requirements, and would serve the public interest, convenience or necessity.

(b) All applications in pending status will be processed in the order in which the application acceptable for filing was received by the Commission; provided, however, that if there are more applications than can be accommodated on available frequencies, the Commission may grant the applications pursuant to the system of random selection prescribed in § 1.972 of this chapter.

(c) The Commission may grant any application in part, or add privileges, terms or conditions not requested. When such action is taken without a hearing, the applicant may accept the authorization as granted, or may return it to the Commission along with a written request for a hearing. Any such request for hearing must be made within 30 days from the date of the grant, or from its effective date, if a later date is specified. Upon receipt of a request for hearing, the Commission will vacate the grant and designate the application for hearing in the usual manner.

[43 FR 54791, Nov. 22, 1978, as amended at 48 FR 27207, June 13, 1983]

§ 90.145 Special temporary authority.

(a) In circumstances requiring the temporary use of radio facilities, the Commission may issue special temporary authority for new or modified operations. A request for special temporary authority may be made in letter form signed in accordance with § 90.125 of this part. It should be submitted, in duplicate, at least 10 days prior to the date of the proposed operation. However, in cases of emergency involving danger to life or property, or due to damage to equipment, the request may be made by telephone, telegraph or facsimile transmission under the condition that a letter request is submitted within the following 10 days. All requests for special temporary authority shall be clear and complete within themselves and shall not rely on any pending application.

(b) Every request for special temporary authority should contain the following information:

(1) Name and address of the applicant;

(2) Need for special action, including a description of any emergency or damage of equipment;

(3) Type of operation to be conducted (such as field test, dispatching etc.);

(4) Purpose of operation;

(5) Times and dates of operation;

(6) Class of station and name of radio service or radio pool;

(7) Location, including geographical coordinates if known, of transmitter and/or mobile area of operations;